

United States District Court

**NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

WILMINGTON SAVINGS FUND	§	
SOCIETY, FSB, NOT IN ITS	§	
INDIVIDUAL CAPACITY BUT	§	
SOLELY IN ITS CAPACITY AS	§	
OWNER TRUSTEE FOR CASCADE	§	
FUNDING MORTGAGE TRUST	§	CIVIL ACTION NO. 3:22-CV-0735-S-BN
2018-RM1	§	
	§	
v.	§	
	§	
B.B. BARR and VINIDA BARR	§	

AMENDED JUDGMENT

The Court has entered an Order in this case accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

Therefore, it is ORDERED, ADJUDGED, and DECREED that Plaintiff Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as Owner Trustee for Cascade Funding Mortgage Trust 2018-RM1's Motion for Summary Judgment [ECF No. 27] is **GRANTED**.

It is further ORDERED that Plaintiff, or its successors and assigns, is authorized to foreclose its lien on the property that secured the note indebtedness, to wit:

BEING ESTATE "F" IN BLOCK 18/2970 IN BOB-O-LINKS DOWNS
NO. FOUR, AN ADDITION TO THE CITY OF DALLAS, TEXAS,
ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 17,
PAGE 391, MAP RECORDS, DALLAS COUNTY, TEXAS

and which has the address of 6638 Williamson Road, Dallas, Texas 75214, pursuant to the note, the security interest, and Texas Property Code § 51.002. Plaintiff is entitled to apply the proceeds from the sale of the property against not only principal and accrued, unpaid interest, pre-judgment interest, and post-judgment interest, but also against the attorney's fees and costs, in an amount to

be determined by the Court post-judgment. Plaintiff is directed to file a separate application for attorney's fees that establishes the amount of reasonable and necessary attorney's fees and costs that it has incurred, with supporting evidence, based on an acceptable method for calculating attorney's fees under Texas Civil Practice and Remedies Code § 38.001(8) and under the Deed of Trust and the Note.

Costs of court, recoverable under Federal Rule of Civil Procedure 54(d)(1), shall be taxed against Defendants B.B. Barr and Vinida Barr.

This judgment is *in rem* and is not a personal judgment against any party.

The Clerk shall transmit to the parties a true copy of this Judgment, of the Court's Order Accepting the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, and of the Findings, Conclusions, and Recommendation of the United States Magistrate Judge dated November 16, 2023.

SO ORDERED.

SIGNED January 12, 2024.



UNITED STATES DISTRICT JUDGE